

United States v. Wieckowski, et al. (“Chopin Chemists”)
Prepared Remarks for U.S. Attorney Preet Bharara
October 29, 2015

Good afternoon. My name is Preet Bharara, and I am the United States Attorney for the Southern District of New York.

Today, we announce criminal and civil charges against three individuals and two pharmacies for allegedly flooding the city with hundreds of thousands of illegally diverted oxycodone pills, a highly addictive and dangerous painkiller. At the heart of this massive prescription painkiller distribution business was Chopin Chemists pharmacy, operated out of two locations, one in Brooklyn and another in Queens.

As alleged, Chopin Chemists indiscriminately sold so much oxycodone that for three years straight – from 2010 to 2012 – its Brooklyn location was the number one purchaser of oxycodone in the entire area covered by its zip code – one that included several national pharmacy chains. In 2011 and 2012, that Brooklyn pharmacy purchased close to 250,000 more oxycodone pills than the second highest purchaser.

This prescription pill problem that is now at epidemic proportions around the country is being fueled by the illegal diversion of prescription pills by corrupt doctors and pharmacists, and the street-level dealers who work with them. Today's law enforcement actions – both criminal and civil – strike at the heart of what has been one of New York's largest sources of diverted oxycodone pills. As alleged, the defendants illegally distributed more than 500,000 tablets of oxycodone over a five-year period, pills with a street value of between \$10 million and \$15 million.

The indictment alleges that Lilian Wieckowski, the owner of Chopin Chemists and a licensed pharmacist, and her husband, Marcin Jakacki sold oxycodone pills out of the Chopin Chemists pharmacies every which way they could. Some pills they sold based on stolen and fraudulent prescriptions, including many made out to fake names like Chanel and Coach. Other times, they just sold oxycodone without asking for prescriptions at all. For example, out of 760,000 oxycodone pills distributed out of the Brooklyn location in a two-and-a-half year period between 2011 and 2013, DEA's audit found that 430,000 had been distributed without any prescriptions.

Robert Cybulski, the third defendant, was one of Chopin Chemists best customers. Cybulski alone allegedly bought tens of thousands of oxycodone pills, visiting the pharmacy several times a month and usually leaving with over 500 pills at a time, with no prescription or plainly fake ones, for illegal distribution.

As alleged, illegally selling these massive quantities of oxycodone made Wieckowski and Jakacki rich – earning them enough to buy a \$2 million home in Greenwich, Connecticut.

All three defendants, along with the Chopin Chemists pharmacies, are charged with conspiracy to distribute narcotics. Wieckowski and Jakacki are also charged with laundering the proceeds of their illegal narcotics business. Wieckowski is further charged with a conspiracy to misbrand prescription drugs and a separate offense of defrauding Medicare out of more than \$750,000 by claiming reimbursements for medicine she never actually dispensed.

In addition to these criminal charges, we have filed today a civil complaint against Wieckowski and her pharmacies to recover millions of dollars in civil penalties from her illegal drug sales and her Medicare fraud.

With these actions, we believe we have shut down one of the largest illegal prescription pill mills in the City. Whether it is the corrupt doctor writing unwarranted prescriptions; the greedy pharmacist selling pills based on fake or no prescriptions at all; or the street-level drug dealer peddling painkillers directly to the addicted, we have to confront this escalating epidemic at every level. Our actions today show that we and our law enforcement partners are committed to doing just that.

Thank Yous

I am joined here to today by our partners in this and so many of our important cases in this area, the DEA, represented here by Acting Special Agent in Charge James Hunt. I also want to thank, Naomi Gruchacz, Assistant Special Agent in Charge of Health and Human Services. We are also joined by the Internal Revenue Service Criminal Investigations, represented by Thomas Bishop, Special Agent in Charge of the New York Office. I want to thank all of them for their efforts in this joint operation.

I also want to commend the outstanding work of the career prosecutors in my office who worked on this case: Assistant United States Attorney Sid Kamaraju, supervised by Jessica Ortiz and Jessica Masella, the Chiefs of our Narcotics Unit, and Assistant United States Attorney Tony Pellegrino, supervised by Pierre Armand, Rebecca Martin and Chris Harwood, the supervisors of our Civil Frauds Unit.

Public Service Announcement

Before I turn the podium over to our partners, I want to say a few words about the prescription pill epidemic more generally and preview a public service announcement that our office has put together along with some of our law enforcement partners.

The illegal diversion of prescription painkillers is not only a federal crime, but a national health crisis.

- More Americans die from prescription pill overdoses than from heroin and cocaine overdoses combined. And drug overdoses generally were the leading cause of injury deaths in the country in 2013 – surpassing car accidents.
- According to the Center for Disease Control, every day about 44 people die from prescription painkillers. That means one every 30 minutes.
- Every day, another 7,000 people will end up in emergency rooms around the country from prescription pill abuse.
- And prescription painkillers have proven to be a gateway drug to heroin and other opioid addiction – so much so, that recent studies have shown that heroin abuse is 19 times more likely among those who have reported non-medical use of pain relievers than those who have not.

We recognize that this problem is something that we cannot simply prosecute our way out of. Education and public awareness needs to be a big part of the solution. For that reason, today, we unveil public service announcements that I, along with the DEA, New York County District Attorney's Office and Rockland County District Attorney's Office, have recorded and will be distributing publicly. This reflects our collective view that we need to do more than just prosecute cases to confront this health care problem that is killing too many people in our communities.

[Play PSA]

We will be releasing this PSA, along with a second one we recorded with Rockland County District Attorney Tom Zugibe shortly, and both will be available on our office website.

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Now let me bring to the podium:

- James Hunt, Acting Special Agent in Charge of the DEA New York Office
- Tom Bishop, Special Agent in Charge of IRS, Criminal Investigations New York Office.